

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VALTRUS INNOVATIONS LTD.,

Plaintiff,

vs.

SAP AMERICA, INC. AND SAP SE,

Defendants.

Civil Action No. 2:24-cv-21

JURY TRIAL DEMANDED

**DECLARATION OF MICHAEL A. BITTNER IN SUPPORT OF DEFENDANTS SAP
AMERICA, INC., AND SAP SE'S REPLY BRIEF IN SUPPORT OF THEIR
MOTION FOR INTRA-DISTRICT TRANSFER UNDER 28 U.S.C. § 1404(a)**

I, Michael A. Bittner, declare and state as follows:

1. I am an attorney at Winston & Strawn LLP and counsel of record for Defendants SAP America, Inc., and SAP SE (collectively, "SAP"). I have personal knowledge of the facts contained in this declaration and, if called upon to do so, I could and would testify competently to the matters set forth herein. I make this declaration in support of SAP's Reply Brief in Support of its Motion for Intra-District Transfer Under 28 U.S.C. § 1404(a).

2. Attached hereto as Exhibit AB is a true and correct copy of the "Contact HPE" Page of Hewlett Packard Enterprise's (HPE) website, listing an office address located at 3001 Dallas Parkway Frisco, Texas 75034-8660.

3. Attached hereto as Exhibit AC is a true and correct copy of Google Maps showing that the direct distance between HPE, located at 3001 Dallas Parkway, Frisco, Texas 75034 and the U.S. District Court for the Eastern District of Texas, Marshall Division, located at 100 E. Houston Street, Marshall, Texas 75670 is 148.01 miles; a true and correct copy of Google Maps showing

the direct distance between HPE, located at 3001 Dallas Parkway, Frisco, Texas 75034 and the Plano Courthouse of the U.S. District Court for the Eastern District of Texas, Sherman Division, at 7940 Preston Rd, Plano, Texas 75024 is 1.87 miles; and a true and correct copy of Google Maps showing that the direct distance between HPE, listing its address located at 3001 Dallas Parkway, Frisco, Texas 75034, and the Sherman Courthouse of the U.S. District Court for the Eastern District of Texas, Sherman Division, at 101 E. Pecan St., Sherman, Texas 75090 is 38.92 miles.

4. Attached hereto as Exhibit AD is a true and correct copy of Google Maps showing that the direct distance between PPS's headquarters at 7460 Warren Parkway, Suite 100, Frisco, Texas 75034, and the U.S. District Court for the Eastern District of Texas, Marshall Division, at 100 E. Houston St., Marshall, Texas 75670 is 147.78 miles; a true and correct copy of Google Maps showing that the direct distance between PPS's headquarters at 7460 Warren Parkway, Suite 100, Frisco, Texas 75034, and the Plano Courthouse of the U.S. District Court for the Eastern District of Texas, Sherman Division, at 7940 Preston Rd., Plano, Texas 75024 is 1.96 miles; and a true and correct copy of Google Maps showing that the distance between PPS's headquarters at 7460 Warren Parkway, Suite 100, Frisco, Texas 75034, and the Sherman Courthouse of the U.S. District Court for the Eastern District of Texas, Sherman Division, at 101 E. Pecan St., Sherman, Texas 75090 is 38.44 miles.

5. Attached hereto as Exhibit AE is a true and correct copy of Google Maps showing that the distance between SAP's Plano Office at 7500 Windrose Avenue, Suite 250, Plano, Texas 75024, and the Plano Courthouse of the U.S. District Court for the Eastern District of Texas, Sherman Division, at 7940 Preston Rd., Plano, Texas 75024 is two miles; a true and correct copy of Google Maps showing that the distance between SAP's Plano Office at 7500 Windrose Avenue, Suite 250, Plano, Texas 75024, and the Sherman Courthouse of the U.S. District Court for the Eastern District

of Texas, Sherman Division, at 101 E. Pecan St., Sherman, Texas 75090 is 48.4miles; and a true and correct copy of Google Maps showing that the distance between SAP's Plano Office at 7500 Windrose Avenue, Suite 250, Plano, Texas 75024, and the U.S. District Court for the Eastern District of Texas, Marshall Division, at 100 E. Houston St. Marshall, Texas 75670 is 176 miles.

6. Attached hereto as Exhibit AF is a true and correct copy of Google Flights from Atlanta, Georgia, to Dallas, Texas, and Houston, Texas, to Dallas, Texas.

7. Attached hereto as Exhibit AG is a true and correct copy of Google Flights, showing no direct flights from Atlanta, Georgia to Marshall, Texas, and no direct flights from Houston Texas, to Marshall, Texas.

8. Attached hereto as Exhibit AH is a true and correct copy of Google Maps that shows the distance between Shreveport Regional Airport at 5103 Hollywood Avenue, Shreveport, Louisiana 71109, and the U.S. District Court for the Eastern District of Texas, Marshall Division, at 100 E. Houston St., Marshall, Texas 75670, is 34.2 miles.

9. Attached hereto as Exhibit AI is a true and correct copy of Google Maps showing that the distance between Dallas Fort Worth International Airport at 2400 Aviation Dr., Dallas, Texas 75261 and the U.S. District Court for the Eastern District of Texas, Marshall Division, at 100 E. Houston St., Marshall, Texas 75670 is 172 miles; a true and correct copy of Google Maps showing that the distance between Dallas Fort Worth International Airport and the Plano Courthouse of the U.S. District Court for the Eastern District of Texas, Sherman Division, at 7940 Preston Rd., Plano, Texas 75024 is 24 miles; and a true and correct copy of Google Maps showing that the distance between Dallas Fort Worth International Airport and the Sherman Courthouse of the U.S. District Court for the Eastern District of Texas, Sherman Division, at 101 E. Pecan St., Sherman, Texas 75090 is 67.6 miles.

I declare that under penalty of perjury that to the best of my knowledge the foregoing is true and correct. Executed this 11th day of June 2024, in Dallas, Texas.

/s/ Michael A. Bittner
Michael A. Bittner